(30)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P (S) No. 5003 of 2007

PETITIONER		Durga Bai Lahre, aged about 33 years, D/o Late Smt. Champa Bai Lahre, R/o Village Basni, Post Office, Matka Tahsil Bemetara, District-Durg(CG)
		Versus
RESPONDENTS	1.	State of Chhattisgarh, Through Its Secretary Department of School Education, DKS Bhawan, Raipur(CG)
	2.	District Education Officer, District-Durg(CG)
	3.	Chief Executive Officer, Janpad Panchayat, Bemetara, District-Durg(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Ashok Patil, counsel for the petitioner.
Shri M.P.S.Bhatia, Panel Lawyer for the State on advance copy.

ORAL ORDER
(03.09.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner argues that the mother of the petitioner namely-Champa Bai, who was working as a Headmistress, had died on 13.11.2004, while she was in service. On account of her death, her daughter (petitioner) made an application for compassionate appointment, which was processed by the District Education Officer, Durg and the same was sent to the Chief Executive Officer, Janpad Panchayat, Bemetara vide his memo dated 11.8.2005(Annexure P-1). His submission is that even after receiving the aforesaid application on 11.8.2005, the Chief Executive Officer, has not taken any action on the said application and the same is lying before the said authority. He further submits that in many cases the

(31)

State has given concession that if the death of the employee occurs after November, 1997, they will consider the cases of their dependants for compassionate appointment in accordance with the policy of the State. He makes a limited prayer that for the time being this petition may be disposed of with a direction to respondent No.3 i.e. C.E.O., Janpad Panchayat, Bemetara to dispose of the application of the petitioner in accordance with the policy of the State and also in light of the judgment given by this Court.

This limited prayer made by learned counsel for the petitioner is not opposed by learned counsel for the State.

The same is allowed.

The petition is disposed of with a direction that if the application of the petitioner for compassionate appointment has not been disposed of by the C.E.O., the same shall be disposed of by him as early as possible preferably within a period of 60 days from the date of production of certified copy of this order along with a copy of writ petition in light of the earlier decision of the High Court and also in light of the policy of the Government.

The petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

sunita